

1 **McCARTHY & HOLTHUS, LLP**
 2 James Hester, Esq. (SBN: 122133)
 3 Melissa Robbins Coutts, Esq. (SBN: 246723)
 4 1770 Fourth Avenue
 5 San Diego, CA 92101
 6 Telephone: (619) 685-4800
 7 Facsimile: (619) 685-4811

8 Attorneys for Defendant,
 9 Quality Loan Service Corporation

10

11 **UNITED STATES BANKRUPTCY COURT**
 12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 In Re:
 14 CIRILO CRUZ,
 15 Debtor.
 16 _____
 17 CIRILO CRUZ,
 18 Plaintiff,
 19 vs.
 20 AURORA LOAN SERVICES, LLC; SCME
 21 MORTGAGE BANKERS, INC.; ING BANK,
 22 F.S.B.; MORTGAGE ELECTRONIC
 23 REGISTRATION SYSTEMS, INC.;
 24 QUALITY LOAN SERVICE
 25 CORPORATION; and DOES 1 to 100,
 26 Defendants.
 27 _____

28 Adversary Case No. 11-90116-MM
 BK Case No. 11-01133-MM13
 Chapter 13
**QUALITY'S DECLARATION OF
 NONMONETARY STATUS
 [Civil Code §2924l]**

29 TO THIS HONORABLE COURT, TO ALL PARTIES AND TO THEIR ATTORNEYS
 30 OF RECORD:

31 NOTICE IS HEREBY GIVEN THAT Defendant, QUALITY LOAN SERVICE
 32 CORPORATION ("Quality"), hereby submits the attached Declaration of Trustee's Nonmonetary
 33 status pursuant to California Civil Code § 2924l.

34 ///

Section 2924*l* provides in the pertinent part that:

“[I]n the event that the trustee maintains a reasonable belief that it has been named in the action or proceeding solely in its capacity as trustee, and not arising out of any wrongful acts or omissions on its part in the performance of its duties as trustee then at any time, the trustee may file a declaration of nonmonetary status.”

Quality believes that it has been named in the above-entitled action solely in its capacity as Trustee under the Deed of Trust, which is the subject of this action, executed by Plaintiff against the real property commonly known as 3148 Toopal Drive, Oceanside, CA 92054.

Dated: April 13, 2011

Respectfully submitted,
McCARTHY & HOLTHUS, LLP

By: /s/ James Hester
James Hester, Esq.
Attorney for Defendant,
Quality Loan Service Corporation

McCARTHY & HOLTHUS, LLP
ATTORNEYS AT LAW
1770 FOURTH AVENUE
SAN DIEGO, CALIFORNIA 92101
TELEPHONE (619) 685-4800 FAXSIMILE (619) 685-4811